

# ESA Private School

Information Meeting

# Private School Responsibilities

- Private schools fall outside of the Department of Education's (ADE) jurisdiction
- Not subject to Department's regulations or oversight
- Private schools still have a responsibility and vested interest to ensure their school(s) and ESA parents are in compliance with ESA rules and procedures
- Violation of ESA policies and ESA statute can result in student's termination from the ESA program
- Schools are not required to monitor their ESA students

# Common Violations

## ESA and STOs at same time

- Parents accepting an Empowerment Scholarship Account (ESA) and School Tuition Organization (STO) in conjunction
  - It's either an STO or an ESA
  - Cannot accept **ANY** STO while on an ESA
- It's against A.R.S 15-2402(B)(3) for an ESA contract holder (applicant parent) to accept an ESA and STO at the same time
- Double dipping
- Immediate termination from the ESA program; stated on parent's contract

# Common Violations

## ESA and Private Day Placements

- Private schools CANNOT accept Private Day Placements and an ESA at the same time
- ESA parents waive their right to FAPE (Free and Appropriate Public Education) therefore, they cannot accept Private Day Placement from a school district and ESA
- Why?
  - Double dipping
  - Enrolled in public school while on an ESA
- Student is terminated immediately from the ESA program.
- Stated in ESA statute and ESA contract (child cannot be enrolled in public school)

# Common Violations

## Holding onto ESA cards

- ESA contracts are between ADE and the parent
  - Not ADE and private school
  - Not parent and private school
- Private school may **NOT** hold onto ESA cards and run them without the parent present to sign
  - Violates VISA's policy and it is fraud
- Private schools may not copy information from the card and use for a later date
  - Fraud
- Any school holding onto ESA bank cards will cause the family to be immediately terminated from the ESA program

# Common Violations

## Holding onto ESA cards

- ESA staff is receiving a larger number of calls of parents wanting know why the have not been funded
  - Bank accounts are checked and show that schools took payment out on the same day parents are funded
  - Parents are not aware of this
- Schools calling ESA asking why parents have not been funded
  - Some schools are not even realizing that funding has been taken from parent's accounts
- Private school may have an agreement to do “auto-payments”
  - Parents and schools agree to a date or dates to have payments deducted from their ESA cards and an agreement must be signed

# New ESA Requirements

- Itemized receipts (invoices)
  - The private school must provide a parent with a **PAID** itemized receipt or invoice that shows
    - Student Name
    - School Name and contact information
    - Tuition cost (what is included for that amount)
      - Fees?
      - Therapies provided to children with special needs?
      - Tutoring?
      - Required Uniforms?
      - Required books?
- This is crucial to making sure parents fulfill ESA policies
- Without an itemized receipt or invoice, ESA staff will not process the parent's expense report
  - Causing parent to be late=late funding=late payment to your school

# ESA Requirements

## Expense Reports

- A parent **MUST** submit a complete expense report which includes ALL of the following:
  - Expense Report Cover Sheet
  - Attestation Form
  - Complete Invoice or Receipt of payment
  - ESA bank statements
- Failure to submit **ANY** of one item(s) listed above will cause the expense report to be sent back to the parent for resubmission. *No extension on deadline date*
- Private schools may assist parents with expense reports but it is not the private school's obligation



# Expense Reports

- No longer accepting expense reports via fax
- Expense reports must be:
  - Emailed to [esareports@azed.gov](mailto:esareports@azed.gov)
    - Do **not** sent to [esa@azed.gov](mailto:esa@azed.gov)
  - Uploaded online: <http://www.azed.gov/esa/expenditure-reports/expenditure-report-process/>
  - Mailed to: Arizona Department of Education  
**Attn: ESA** ———> **important**  
1535 W. Jefferson Street  
**BIN 41** ———> **cannot stress** the importance  
Phoenix, AZ 85210
- When expense reports are emailed or uploaded, parent will receive a conformation to the email that they emailed from or provided
  - Make the mistake to send from “unable to reply” or an email that they never check

# Private School

## Regulation and Placement

- ESA parents are very to choose any private school as they wish.
- We do not provide any private school list to parents
  - Department does have a list of approved but not endorsed private schools that are approved private day placement schools
- Parents are responsible for privately entered contracts including rules and regulations
  - Schools should provide parents with a copy of contract, policy handbook (if applicable) , rules/regulations (if applicable), etc. to avoid any miscommunication
- ADE will not give legal advice to any school

# Private Schools

## Additional Information

- Private schools **CANNOT** use ESA funds as “collateral” to collect payment
  - If there is a contract and the rules/ regulations are stated on the contract or you have a no refund policy and a parents leaves without payment, it is your responsibility to collect payment from the parent directly and not ESA.
  - Recommend that private schools have another form of payment on file
  - If a parents has left school without payment, you may **not** use parent’s “auto-payment” information to pay for services that were not provided even if a contract was signed—use 2<sup>nd</sup> form of payment (provided or collected)
    - Send a parent to “collection agency” and give the agency the parent’s ESA card to collect payment
      - **THIS IS FRAUD** and you (private school) will be referred to the Attorney General’s office
- ESA funds belong to the State of Arizona

# Private School Involvement

- ESA contract (agreement) is between ADE and the parent
  - ADE will **NOT** disclose any financial information such as:
    - Amount of ESA
    - Whether the parent accepted the contract or not
    - If a parent is still on ESA
    - Educational information about a student (FERPA violation) Family Educational Right and Privacy Act
      - Parents can submit a FERPA waiver to have educational information disclosed
        - **IMPORTANT that parents understand FERPA when signing the form**
    - Personal information about a parent
- Private school will need to contact the parents for any information
- Schools want to assist as much as they can; but please remember that sole responsibility falls on the parent

# Questions?

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Thank you for your time